

U.S. Environmental Protection Agency Multipurpose Grant Guidance for Tribes

SUMMARY

The U.S. Environmental Protection Agency is issuing multipurpose State and Tribal Assistance Grants (STAG) to federally recognized Indian tribes (tribes) who are co-regulator partners. Multipurpose funds are intended to be used for high priority activities to complement co-regulator implementation activities funded under established federal environmental statutes. Co-regulator partners are tribes delegated certain federal regulatory authority through treatment in a similar manner to a state (TAS) and tribes approved for implementation activities through certain non-TAS approval provisions found in federal environmental statutes and regulations to operate environmental regulatory programs. A list of eligible tribes and programs is attached to this Guidance (see Attachment 1). EPA is awarding **\$1,500,000** to eligible tribes to be added to an existing or new Performance Partnership Grant (PPG) or as a standalone grant. This Guidance provides information on eligibility, use of funding, grant mechanisms, processes for awarding funding, the allocation methodology used for distribution of funding, merit review, timelines, and terms for reporting under these grants.

This Guidance is for federally recognized tribes. Guidance for state and territorial agencies is issued separately.

BACKGROUND

Congress created the Multipurpose Grant (MPG) program in the 2016 Consolidated Appropriations Act.¹ No funding was provided in FY17. Additional funds were appropriated for the MPG program in FY18, FY19, and FY20.^{2,3,4} The FY21 appropriation provided \$10M in State and Tribal Assistance Grants for the MPG program.⁵ As the Agency did in prior years, EPA is setting aside 15% for the tribal MPG program.

In the [Explanatory Statement](#) accompanying the 2021 Act, Congress said,

States and Tribes often undertake primary cleanup and remediation efforts on emerging contaminants like PFAS while the Agency goes through the regulatory process on setting standards for such contaminants. Given the current activities of States and Tribes to address the emerging contaminants of PFAS and others, this funding is expected to aid such regulatory, cleanup and remediation efforts of contaminated water sources, water systems, and lands, and of impacted air quality. The Committees note that such funds should not be limited to only those activities subject to the Categorical Grants, but should also include any State-led effort that will lead to cleanup and remediation of areas affected by PFAS and other emerging contaminants.

¹ Consolidated Appropriations Act, 2016 (P.L. 114-113)

² 2018 Consolidated Appropriations Act (P.L. 115-141). In the [Explanatory Statement](#) accompanying the 2018 Act, Congress said, “The Committees were disappointed with the Agency’s funding formula in fiscal year 2016 because it did not provide the flexibility that Congress expected and instead gave preference to air programs. In fiscal year 2018, the Agency is directed to give maximum flexibility to States, so that States, not the Agency, may determine where funds from this grant program are of most value.”

³ Consolidated Appropriations Act, 2019 (P.L. 116-6)

⁴ Further Consolidated Appropriations Act, 2020 (P.L. 116-94)

⁵ Consolidated Appropriations Act, 2021 (P.L. 116-260)

AUTHORITY and FUNDING BACKGROUND

This grant funding is authorized by the 2021 Consolidated Appropriations Act (P.L. 116-260).

ELIGIBLE RECIPIENTS

The tribal set-aside funding is available to federally-recognized tribes that have received treatment in a similar manner to a state (TAS) regulatory program status and to tribes approved for implementation activities through certain non-TAS approval provisions found in federal environmental statutes and regulations to operate environmental regulatory programs. Table 1 below lists the environmental statute programs and the number of tribes eligible for funding under each program. This is the universe of 114 eligible programs. A full listing of the 86 tribes with their eligible programs is found in Attachment 1. Several tribes have more than one eligible program. Therefore, several tribes may be eligible to identify high priority activities for funding under more than one program. EPA anticipates prioritizing funding for programs that include an enforcement component.

FUNDING PRIORITIES

To ensure program effectiveness and the funding of tribes' highest priorities, the following funding criteria may be used in making awards:

- Previous MPG award and workplan status and success may be reviewed and used in determining FY2021 awards.
- Funding to each eligible tribe may be prioritized over funding a tribe for multiple programs (several tribes are eligible for funding under more than one program).
- For FY2021 awards, Congress has included per- and polyfluoroalkyl substances (PFAS) implementation activities performed under eligible programs. These activities are eligible so long as they are implemented under one of the eligible MPG programs listed in Table 1.
- Eligibility and funding priorities are at the discretion of the Regional Administrator.

Table 1: EPA Tribal TAS and other Tribal Approvals to Implement Regulatory Programs

Program	Number of Authorized Tribal Programs
CAA § 110 - Tribal Implementation Plan (TIP)	8
CAA § 111 - New Source Performance Standards (NSPS)	2
CAA § 112 – National Emissions Standards for Hazardous Air Pollutants (NESHAP)	2
CAA Title V - Operating Permit Program	4
CWA §§ 303(c) / 401 - Water Quality Standards Program (WQS)	74

SDWA § 1413 - Public Water System Supervision (PWSS) Program	1
SDWA § 1425 - Underground Injection Control (UIC), Class II Wells	2
TSCA §§ 402, 404 - Lead Abatement	4
TSCA § 406 - Renovation, Repair, and Painting (RRP)	1
CAA – Federal Air Rules for Reservations (FARR)	6
CAA – Class I Designations	6
FIFRA – Restricted Use Pesticide Program (RUP)	4
Total	114 programs / 86 tribes

ELIGIBLE ACTIVITIES

MPG funds are intended to be used for high priority activities to complement co-regulator implementation activities funded under established federal environmental statutes. Examples of eligible implementation activities under these programs include planning, development, operation, research, investigations, experiments, monitoring, assessment, training, surveys, inspections, compliance assistance, enforcement, process improvement, education and outreach, technical support, and maintenance found within the environmental programs listed. Activities may also include joint efforts between the recipient and EPA, such as streamlining and other E-Enterprise projects.

All activities for which MPG funds are used must be implementation activities eligible to be funded under the respective federal environmental statutes. Conversely, activities that are ineligible for grant funding under the respective federal environmental statutes may not be conducted using MPG funds. The exception to this includes work performed to address PFAS, which otherwise would not fall under any of the existing Continuing Environmental Programs.

MPG awards cannot be used to fund compliance activities of any regulated source or facility to meet federal or tribal requirements, including compliance monitoring or stack testing. This prohibition extends to tribally owned or operated facilities, whether or not the activities are performed directly by the tribe receiving the award.

Tribes using MPG funds for any of the eligible programs must follow the applicable statutes, regulations, policies, and guidance associated with each program.

MATCH, COST-SHARE, AND MAINTENANCE OF EFFORT REQUIREMENTS

Tribes will not be required to provide a match, cost-share, or maintenance of effort requirement for MPG funds. Therefore, adding MPG funds to a PPG will not impact the PPG's existing cost-share requirement under 40 CFR 35.536.

GRANT MECHANISMS

The requirements of 2 CFR part 200 (OMB Uniform Grant Guidance) and 2 CFR part 1500 (EPA Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) apply to this grant funding.

The following funding vehicles are available for MPG funds:

- Tribes with an existing PPG may add MPG funding to the PPG through a grant amendment.
- Tribes may combine MPG funds with one or more eligible grant(s) into a new PPG.
- Tribes may accept MPG funding as a standalone grant awarded under CFDA 66.204.

EPA encourages tribes to take full advantage of the reduced administrative burden and maximum flexibility offered by accepting MPG funds into PPGs.

Further, as required by EPA's Environmental Results Order (EPA Order 5700.7A1), workplans must link the MPG activities to EPA's strategic goals and objectives and include outcomes and outputs. The Regional POCs (listed below) may also assist with linking workplan activities to the EPA FY18-22 Strategic Plan.

PROCESS FOR AWARD

EPA will notify each eligible tribe of the potential for MPG funding with a request to accept or decline funding. EPA Regions will work with each eligible recipient who chooses to accept funding to negotiate a final award amount and assist in work plan development. See "TIMELINE" below.

FUNDING ALLOCATION

From the tribal set-aside, EPA will calculate regional allocations by the number of eligible tribal regulatory programs in each region, with an additional emphasis on eligible programs with an enforcement component. The total regional allocations will be used to generate individual tribal awards based upon workplan negotiations. If a tribe does not apply for MPG funds, the funds allocated to that tribe will be redistributed within the respective region.

TIMELINE

This is a recommended timeline for MPG awards. Final dates will be established by the regions, to include awards made in FY22 if applicable.

- **June 1, 2021:** EPA Regions will contact eligible tribes informing them of available funding.
- **June 15, 2021:** Tribes will notify EPA of their intent to accept or decline MPG funds.
- **July 1, 2021:** Regions will notify tribes of final award amounts.
- **July 15:** Grant application due through [grants.gov](https://www.grants.gov).
- **Sept 30, 2021** –All MPG grants awarded.

TERMS & CONDITIONS

There are no new terms and conditions for MPG grant funding. The typical grant terms and conditions associated with federal awards apply. The repository for EPA's Assistance Agreement General Terms and Conditions by year can be found at <http://www.epa.gov/grants/grant-terms-and-conditions>.

PERFORMANCE TRACKING

MPG funds must be managed in accordance with existing Federal and EPA-specific grant regulations and policies, including but not limited to: [40 CFR Part 35 Subparts A and B](#), [2 CFR Part 200](#), [2 CFR Part 1500](#), EPA's [Environmental Results Order](#), and [GPI 12-06 Timely Award, Obligation, and Expenditure of EPA Grant Funds](#).

PROJECT PERIOD

Existing EPA grant policies limit project periods to no more than five years. EPA asks that tribes demonstrate the projects they've identified in their work plans are "of most value," as Congress directs, by drawing down the funds within two years. Use of the recipients' EPA-Tribal Environmental Agreement (ETEP) may be helpful in determining implementation activity priorities for MPG funds.

REGIONAL POINTS OF CONTACT

Tribes should direct questions about the MPG program to their regional official:

EPA Region	Regional Official	Phone Number	Email
R1	Mike Stover	(617) 918-1123	stover.michael@epa.gov
R2	Andrea Coats	(212) 637-8350	coats.andrea@epa.gov
R4	Katie Pugh	(404) 562-8351	pugh.katherine@epa.gov
R5	Alan Walts	(312) 353-8894	walts.alan@epa.gov
R6	Randy Gee	(214) 665-8355	gee.randy@epa.gov
R7	Kimberly Hill	(913) 551-7841	hill.kimberly@epa.gov
R8	Jennifer Wintersteen	(406) 457-5006	wintersteen.jennifer@epa.gov
R9	Licia Maclear	(415) 972-3161	maclear.licia@epa.gov
R10	Adam Baron	(206) 553-2106	baron.adam@epa.gov

ATTACHMENT 1 – List of Federally Recognized Tribes with Programs Eligible for EPA Multipurpose Grants

Tribe	Program	Program	Program with Enforcement			
Assiniboine & Sioux Tribes of the Fort Peck Indian Reservation, MT	CWA- WQS	CAA-Class 1 Designation	SWDA-UIC Program			
Bad River Band of Lake Superior Tribe of Chippewa Indians	CWA- WQS					
Big Pine Paiute Tribe of the Owens Valley	CWA- WQS					
Bishop Paiute Tribe	CWA- WQS					
Blackfeet Tribe of the Blackfeet Indian Reservation of MT	CWA- WQS					
Cabazon Band of Mission Indians, California	CWA- WQS					
Cherokee Nation			TSCA-Lead Abatement			
Cheyenne River Sioux Tribe of the Cheyenne River Reservation	FIFRA-RUP					
Coeur D'Alene Tribe	CWA - WQS	CAA-FARR				
Confederated Salish & Kootenai Tribes of the Flathead Reservation	CWA- WQS	CAA-Class 1 Designation				
Confederated Tribes of the Chehalis Reservation	CWA- WQS					
Confederated Tribes of the Colville Reservation	CWA- WQS	CAA-FARR				
Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians	CWA- WQS					
Confederated Tribes of the Goshute Reservation	CWA- WQS					
Confederated Tribes of the Umatilla Indian Reservation	CWA- WQS	CAA-FARR				
Confederated Tribes of the Warm Springs Reservation of Oregon	CWA- WQS					
Dry Creek Rancheria Band of Pomo Indians, California	CWA- WQS					
Eastern Band of Cherokee Indians	CWA- WQS					
Fond du Lac Band of the Minnesota Chippewa Tribe	CWA- WQS					
Forest County Potawatomi Community Wisconsin	CAA-Class 1 Designation					
Gila River Indian Community of the Gila River Indian Reservation, Arizona	CWA- WQS		CAA-TIP	CAA-Title V	CAA-NESHAP	CAA-NSPS

Tribe	Program	Program	Program with Enforcement			
Grand Portage Band of the Minnesota Chippewa Tribe	CWA- WQS					
Havasupai Tribe of the Havasupai Reservation, Arizona	CWA- WQS					
Hoop Valley Tribe, California	CWA- WQS					
Hopi Tribe of Arizona	CWA-WQS					
Hualapai Indian Tribe of the Hualapai Indian Reservation, Arizona	CWA-WQS					
Kalispel Indian Community of the Kalispel Reservation	CWA-WQS	CAA-Class 1 Designation				
Karuk Tribe (CA)	CWA-WQS					
Keweenaw Bay Indian Community, Michigan	CWA-WQS					
Klitsel Dehe Band of Wintun Indians	CWA-WQS					
La Posta Band of Diegueno Mission Indians	CWA-WQS					
Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin	CWA-WQS					
Lower Sioux Indian Community in the State of Minnesota			TSCA-Lead Abatement			
Lummi Tribe of the Lummi Reservation	CWA-WQS					
Makah Indian Tribe of the Makah Indian Reservation	CWA-WQS					
Mashantucket Pequot Indian Tribe			CAA-TIP	CAA-Title V		
Miccosukee Tribe of Indians	CWA-WQS					
Minnesota Chippewa Tribe - Bois Forte Band (Nett Lake)			TSCA-Lead Abatement	TSCA-RRP		
Mohegan Tribe of Indians of Connecticut	CAA-TIP					
Morongo Band of Mission Indians, California	CWA-WQS	CAA-TIP				
Navajo Nation, Arizona, New Mexico & Utah	CWA-WQS	CAA-Title V	SDWA-PWSS Program	SDWA-UIC Program		
Nez Perce Tribe		CAA-FARR				

Tribe	Program	Program	Program with Enforcement			
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation Montana	CWA-WQS	CAA-Class 1 Designation	CAA - TIP			
Ohkay Owingeh, New Mexico	CWA-WQS					
Pala Band of Mission Indians	CWA_WQS					
Pawnee Nation of Oklahoma	CWA-WQS					
Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California	CAA-TIP					
Port Gamble S'Klallam Tribe	CWA-WQS					
Pueblo of Acoma, New Mexico	CWA-WQS					
Pueblo of Isleta, New Mexico	CWA-WQS					
Pueblo of Laguna, New Mexico	CWA-WQS					
Pueblo of Nambe, New Mexico	CWA-WQS					
Pueblo of Picuris, New Mexico	CWA-WQS					
Pueblo of Pojoaque, New Mexico	CWA-WQS					
Pueblo of Sandia, New Mexico	CWA-WQS					
Pueblo of Santa Ana, New Mexico	CWA-WQS					
Pueblo of Santa Clara, New Mexico	CWA-WQS					
Pueblo of Taos, New Mexico	CWA-WQS					
Pueblo of Tesuque, New Mexico	CWA-WQS					
Puyallup Tribe of the Puyallup Reservation	CWA-WQS					
Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada	CWA-WQS					
Quartz Valley Indian Community of the Quartz Valley Reservation of California	CWA-WQS					
Quinault Indian Nation	CWA-WQS	CAA-FARR				
Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California	CWA-WQS					
Rosebud Sioux Tribe of the Rosebud Indian Reservation	FIFRA-RUP					
Sac & Fox Tribe of the Mississippi in Iowa – Meskwaki Nation	CWA-WQS					
Saint Regis Mohawk Tribe	CWA-WQS		CAA-TIP			
San Carlos Apache Tribe of the San Carlos Reservation (AZ)	CWA-WQS					
Seminole Tribe of Florida	CWA-WQS					
Seneca Nation of Indians	CWA-WQS					
Shoshone-Bannock Tribes of the Fort Hall Reservation	CWA-WQS	FIFRA-RUP				

Tribe	Program	Program	Program with Enforcement			
Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada (NV, ID)	CWA-WQS					
Sokaogon Chippewa Community, Wisconsin	CWA-WQS					
Southern Ute Indian Tribe	CWA-WQS		CAA-Title V	CAA-NESHAP	CAA-NSPS	
Spokane Tribe of the Spokane Reservation	CWA-WQS	CAA-Class 1 Designation				
Swinomish Indian Tribal Community	CWA-WQS	CAA-FARR	CAA-TIP			
Table Mountain Rancheria	CWA-WQS					
Three Affiliated Tribes of the Fort Berthold Reservation		FIFRA-RUP				
Tulalip Tribes of Washington	CWA-WQS					
Twenty-Nine Palms Band of Mission Indians of California	CWA-WQS					
Upper Sioux Community, Minnesota			TSCA-Lead Abatement			
Ute Mountain Ute Tribe	CWA-WQS					
Walker River Paiute Tribe of the Walker River Reservation, Nevada	CWA-WQS					
White Mountain Apache Tribe of the Fort Apache Reservation, Arizona	CWA-WQS					
Winnebago Tribe of Nebraska	CWA-WQS					
Yerington Paiute Tribe of the Yerington Colony & Campbell Ranch	CWA-WQS					